

# Order

Michigan Supreme Court  
Lansing, Michigan

January 20, 2012

Robert P. Young, Jr.,  
Chief Justice

144072 (79)

Michael F. Cavanagh  
Marilyn Kelly  
Stephen J. Markman  
Diane M. Hathaway  
Mary Beth Kelly  
Brian K. Zahra,  
Justices

ITALO PARISE,  
Plaintiff-Appellant,

v

SC: 144072

DETROIT ENTERTAINMENT, L.L.C.,  
Defendant-Appellee.

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On order of the Court, the motion for full-Court review of the motion to disqualify Chief Justice YOUNG and Justice MARKMAN is considered, and it is GRANTED. Upon full-Court consideration of the plaintiff's motion, we DENY the motion for the reason that no justice is persuaded that there is any ground for the disqualification of Chief Justice YOUNG or Justice MARKMAN.

YOUNG, C.J. (*not participating*). I do not participate in the order or the full Court's decision on the motion for disqualification of another justice, pursuant to MCR 2.003(D)(3)(b), for the reasons stated in my November 25, 2009, dissent from the rule's promulgation<sup>1</sup> and in my March 31, 2010, statement of nonparticipation in a similar motion in *Pellegrino v Ampco Systems Parking*.<sup>2</sup> I believe that rule to have serious constitutional flaws.

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<sup>1</sup> See 485 Mich cxxx, clxvii-clxxxv (YOUNG, J., dissenting).

<sup>2</sup> 485 Mich 1134, 1155-1165 (2010) (YOUNG, J., not participating).



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I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

January 20, 2012

*Corbin R. Davis*

Clerk